

THORPE
NORTH &
WESTERN L.L.P.
SINCE 1979
THE TEAM APPROACH TO PREMIER PERFORMANCE ®

INTELLECTUAL PROPERTY LAW

PATENTS, TRADEMARKS,

COPYRIGHTS, UNFAIR

COMPETITION, TRADE SECRETS,

LITIGATION, DISPUTE RESOLUTION

AND RELATED MATTERS

SALT LAKE AREA OFFICE
8180 SOUTH 700 EAST, SUITE 200
SANDY, UTAH 84070-0562
801.566.6633
801.566.0750 FAX
PATLAW@TNW.COM
WWW.TNW.COM

U.S. MAILING ADDRESS
P.O. BOX 1219
SANDY, UTAH 84091-1219

LAS VEGAS AREA OFFICE
OF COUNSEL: NEIL J. BELLER †
7408 WEST SAHARA
LAS VEGAS, NEVADA 89117
702.368.7767
† ADMITTED IN NEVADA

VAUGHN W. NORTH
M. WAYNE WESTERN
GARRON M. HOBSON
PETER M. DE JONGE
CLIFTON W. THOMPSON
STEVE M. PERRY
WEILI CHENG, PH.D.
DAVID R. MCKINNEY, PE.
GARY P. OAKESON
DAVID W. OSBORNE
DAVID L. STOTT
JASON R. JONES
ERIK S. ERICKSEN, M.S.
JOHN W. L. OGILVIE
ALEX HAYMOND, B.S. EE
NATHAN S. WINESETT
ATTORNEYS

TODD B. ALDER, PH.D.
JONATHAN M. BENNS, PH.D.
PATENT AGENTS

AARON M. SMITH, B.S. EE
WILLIAM T. RALSTON, PH.D. EE
TECHNICAL CONSULTANTS
CALVIN E. THORPE
(1938-1999)

June 14, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Re: U.S. Patent Application No. 10/601,344 filed June 20, 2003
Applicant: Steven J. Miller
Title: **TEAT CUP SYSTEM**
Group Art Unit: 3643
Attorney Docket No. 20882.NP

Sir/Madam:

Transmitted herewith for filing and pursuant to 37 C.F.R. §§ 1.56 and 1.97 is an Information Disclosure Statement.

Enclosed also are the following designated documents, as required under 37 C.F.R. §§ 1.97 and 1.98:

- ☒ Form PTO-1449 list of 31 references submitted for consideration.
- ☐ Legible copies of the listed references or their relevant portions.
- ☒ Legible copies of the listed non-patent documents and foreign documents or their relevant portions are included.
- ☒ Copies of U.S. patents and/or publications are not included pursuant to the Official Gazette Notice, dated Aug. 5, 2003, waiving the requirement of 37 C.F.R. 1.98(a)(2)(i).

- ☐ All English translations of each non-English reference, if any, within the possession, custody, control or availability of anyone designated in 37 C.F.R. § 1.56(c) (see 37 C.F.R. § 1.98(c)).

The following are included within the Information Disclosure Statement if applicable and as required under 37 C.F.R. § 1.98:

- ☐ Concise explanation of relevance of each reference not in English and unaccompanied by an English translation.
- ☐ Statement that certain listed references not enclosed are substantially cumulative of an enclosed reference.
- ☐ Statement that certain listed references not enclosed were previously cited by or submitted to the Office in prior application no. _____, filed on _____, which is relied upon for an earlier filing date under 35 U.S.C. § 120.

In order to secure consideration of the items designated above, one or more of the following, if required, is also enclosed:

- ☐ Statement under 37 C.F.R. § 1.97(e)(1) or (2).
- ☒ Check No. 19644, which includes the amount of \$180.00 (amount in § 1.17(p)) constituting the submission fee set forth in 37 C.F.R. § 1.17(p).

In the event that 37 C.F.R. § 1.97(c) applies and the Examiner is not satisfied that the Statement meets the requirements of 37 C.F.R. § 1.97(e), or in any other event remediable by a fee, please credit any over payment or charge any additional fees to Deposit Account No. 20-0100 of the undersigned.

Respectfully submitted,



Christopher L. Johnson
Attorney for Applicant
Registration No. 46,809

THORPE NORTH & WESTERN, LLP
Customer No. 20,551
P.O. Box 1219
Sandy, Utah 84091-1219
Telephone: (801) 566-6633

CLJ/tlt




IN THE UNITED STATES PATENT & TRADEMARKS OFFICE

ART UNIT: 3643
EXAMINER: Nguyen, Son T.
APPLICANT: Steven J. Miller
SERIAL NO.: 10/601,344
FILED: 6/20/2003
CONFRM. NO.: 8456
FOR: TEAT CUP SYSTEM

**CERTIFICATE OF MAILING
UNDER 37 C.F.R. § 1.8**

DATE OF DEPOSIT: June 14, 2004

I hereby certify that this paper or fee (along with any paper or fee referred to as being attached or enclosed) is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated above and is addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Christopher L. Johnson

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir/Madam:

Please find, pursuant to 37 C.F.R. § 1.98(a)(1), the enclosed Form PTO-1449 which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). Applicant respectfully submits that this Information Disclosure Statement is filed pursuant to:

- ☐ 37 C.F.R. § 1.97 (b)(1) or (3), within three months of the filing date of the application, or before a first office action on the merits, whichever occurs last;
- ☒ 37 C.F.R. § 1.97 (c), after a first office action on the merits, but before a Final Office Action or a Notice of Allowance, whichever occurs first, and is accompanied by either 1) a statement in accordance with 37 C.F.R. § 1.97(e), or 2) the fee set forth in § 1.17(p); or
- ☐ 37 C.F.R. § 1.97 (d), after a Final Office Action or Notice of Allowance, whichever occurs first, but on or before payment of the issue fee, and is accompanied by both 1) a statement in accordance with 37 C.F.R. § 1.97(e), and 2) the fee set forth in § 1.17(p).

While no representation is made that any of these references may be "prior art" within the meaning of that term in accordance with 35 U.S.C. §§ 102 or 103, the enclosed list of references is disclosed so as to comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned attorney of record believes that the references listed, together with any other references which may have been previously submitted or

listed, are the closest to the claimed invention (taken in its entirety) of which the undersigned is presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

☐ In accordance with 37 C.F.R. §§ 1.97 and 1.98, a copy of each listed reference (or relevant portion thereof) which was not previously submitted to, or cited by, the Patent Office is also enclosed.

☒ Legible copies of the listed non-patent literature and foreign documents or their relevant portions. Copies of U.S. patents and/or publications are NOT included pursuant to the Official Gazette Notice, dated Aug. 5, 2003, waiving the requirement of 37 C.F.R. 1.98(a)(2)(i).

☐ The references listed in the accompanying Form PTO-1449 are NOT enclosed because, under 37 C.F.R. § 1.98(d), they were previously cited by or submitted to the Office in application number _____, which is relied upon for an earlier filing date under 35 U.S.C. § 120.

For all listed references that are not either in the English language, or accompanied by a translation into English, a concise explanation of relevance as required under 37 C.F.R. § 1.98(a)(3) is enclosed attached to each.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or to credit any overpayment to Deposit Account No. 20-0100.

Dated this 14th day of June, 2004.

Respectfully submitted,



Christopher L. Johnson
Attorney for Applicant
Registration No. 46,809

THORPE NORTH & WESTERN, LLP
Customer No. 20,551
P.O. Box 1219
Sandy, Utah 84091-1219
Telephone: (801) 566-6633

CLJ/tlt
Enclosure



PTO-1449

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.
20882.NPSERIAL NO.
10/601,344

LIST OF PRIOR ART CITED BY APPLICANT

APPLICANT Silicone Plastics

FILING DATE
06-20-03GROUP

U.S. PATENT DOCUMENTS

EXAMINER INITIALS		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	1,167,968	01-11-16	Anderson			
	AB	1,312,941	08--12-17	Anderson			
	AC	1,365,665	01-18-21	Davies			
	AD	2,502,362	03-28-50	Babson et al.			
	AE	2,621,626	12-16-52	Harris et al.			
	AF	2,997,980	08-29-61	Noorlander			
	AG	3,659,558	05-02-72	Noorlander			
	AH	3,661,120	05-09-72	Siddall et al			
	AI						
	AJ						
	AK						
	AL						

FOREIGN PATENT DOCUMENTS

EXAMINER INITIALS		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	<u>TRANSLATION</u> YES NO
	AM	1.113.916	04-05-56	France			
	AN	101,945	11-02-16	Great Britain			
	AO	331,297	07-03-30	Great Britain			
	AP						
	AQ						

OTHER PRIOR ART (Including Author, Title, Pertinent Pages, Etc.)

	AR	
	AS	
	AT	

EXAMINER

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication with applicant.



PTO-1449

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.
20882.NPSERIAL NO.
10/601,344

LIST OF PRIOR ART CITED BY APPLICANT

APPLICANT Silicone Plastics

FILING DATE
06-20-03GROUP

U.S. PATENT DOCUMENTS

EXAMINER INITIALS		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AU	3,696,790	10-10-72	Albright			
	AV	3,845,743	11-05-74	Van Staveren			
	AW	3,973,521	08-10-76	Duncan			
	AX	4,269,143	05-26-81	Erbach			
	AY	4,280,446	07-28-81	Noorlander			
	AZ	4,315,480	02-16-82	Noorlander			
	AAA	4,441,454	04-10-84	Happel et al.			
	ABB	4,459,938	07-17-84	Noorlander			
	ACC	4,483,272	11-20-84	Tonelli			
	ADD	4,648,350	03-10-87	Noorlander			
	AEE	4,941,433	07-17-90	Hanauer			
	AFF	5,178,095	01-12-93	Mein			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIALS		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	<u>TRANSLATION</u> YES NO
	AGG						
	AHH						
	AII						
	AJJ						
	AKK						

OTHER PRIOR ART (Including Author, Title, Pertinent Pages, Etc.)

	ALL	
	AMM	
	ANN	
EXAMINER	DATE CONSIDERED	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication with applicant.



PTO-1449

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.
20882.NPSERIAL NO.
10/601,344

LIST OF PRIOR ART CITED BY APPLICANT

APPLICANT Silicone Plastics

FILING DATE
06-20-03GROUP

U.S. PATENT DOCUMENTS

EXAMINER INITIALS		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AOC	5,224,442	07-06-93	Davies			
	APP	5,386,799	02-07-95	Dietrich			
	AQC	5,482,004	01-09-96	Chowdhury			
	ARR	5,666,904	09-16-97	Grindal			
	ASS	5,809,932	09-22-98	Van Den Berg			
	ATT	6,164,243	12-26-00	Larson			
	AUL	6,202,593 B1	03-20-01	Maier et al.			
	AVV	6,308,656 B1	10-30-01	Milbrath et al.			
	AWV						
	AXX						
	AYY						
	AZZ						

FOREIGN PATENT DOCUMENTS

EXAMINER INITIALS		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
	AAA						
	ABB						
	ACC						
	ADD						
	AEE						

OTHER PRIOR ART (Including Author, Title, Pertinent Pages, Etc.)

	AFF	
	AGC	
	AHH	
EXAMINER	DATE CONSIDERED	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication with applicant.